

PSC Solution: TIP0013

Date: 6/23/2010

Application: ESS

School Year: All

File Specifications:

Solution Type: Technical Tip

Title: Determining race and ethnicity data when individual does not self-identify

Issue Description:

Schools and districts may encounter situations in which a student (or their parent/guardian) refuses to self-identify the student's race and ethnicity for the purposes of EDFacts reporting. This article provides guidance for such a situation.

In October 2007, the Department published *Final Guidance on Maintaining, Collecting, and Reporting Racial and Ethnic Data to the U.S. Department of Education*, at (72 Fed. Reg. 59266 (Oct. 19, 2007)), at <http://www.ed.gov/legislation/FedRegister/other/2007-4/101907c.html> (Final Guidance.) The Department's Final Guidance explains the manner in which school districts and other educational institutions are required to collect racial and ethnic data from students and staff and report the data to the Department -- directly or through the State -- using the Federal aggregate reporting categories. On August 1, 2008, the Assistant Secretary for the Office of Planning, Evaluation, and Policy Development sent a letter to the Chief State School Officers enclosed additional guidance to key questions the Department had received since publication of the Final Guidance, at: <http://www.ed.gov/print/policy/rschstat/guid/raceethnicity/letter.html> and you may read the Department's response to the additional questions that was attached to that letter at: <http://www.ed.gov/print/policy/rschstat/guid/raceethnicity/questions.html>.

The Final Guidance instructs educational institutions to allow individuals to self-identify their race and ethnicity. School districts are required to use a two-part question, focusing first on ethnicity and second on race, when collecting the data from individuals. The Department requires the collection of data about students and staff using the established ethnic and racial categories. Individuals are also permitted to identify more than one race.

This data collection requirement applies to school districts and other educational institutions, not to individuals. Therefore, if individuals do not complete the two-part question, then the school districts are required to take steps to collect and document information in order to report racial and ethnic data about the individuals in one of the Federal reporting categories. For example, for elementary and secondary school students, the Final Guidance provides that school districts should use observer identification in cases where individuals do not self-identify. If only one part of the two-part question is unanswered, the school district is also required to take steps to ensure that the individual has intentionally refused to complete both parts of the question before using observer identification.